



STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TN 37243-1131

July 17, 2009

Mega Life & Health Ins Co, The
9151 Grapevine Hwy
North Richland Hills, TX 76180
NAIC # 97055

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7008 3230.0002 4321 8942
Cashier # 4119

Re: Ricky D. Clanton V. Mega Life & Health Ins Co, The

Docket # 11878

To Whom It May Concern:

We are enclosing herewith a document that has been served on this department on your behalf in connection with the above-styled matter.

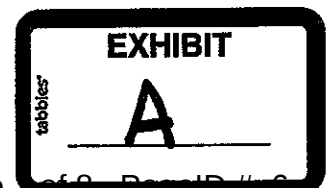
I hereby make oath that the attached Breach Of Contract Complaint was served on me on July 14, 2009 by Ricky D. Clanton pursuant to Tenn. Code Ann. § 56-2-504 or § 56-2-506. A copy of this document is being sent to the Circuit Court of Bedford County, TN.

Brenda C. Meade
Designated Agent
Service of Process

Enclosures

cc: Circuit Court Clerk
Bedford County
One Public Square, Rm 200
Shelbyville, Tn 37160

Service of Process 615.532.5260



SUMMONS

STATE OF TENNESSEE

CIRCUIT COURT OF BEDFORD COUNTY

RICKY D. CLANTON,
Plaintiff,

VS.

**MEGA LIFE & HEALTH INSURANCE
COMPANY,**
Defendant.

STATE OF TENNESSEE, BEDFORD COUNTY
I, the undersigned Circuit Court Clerk, do hereby
certify that this is a true and correct copy of the
original of this instrument filed in the above.

This 9 day of July, 2009.

THOMAS A. SMITH, CLERK

Janice Carr Clerk

CIVIL ACTION

NO. 11878

SUMMONS

To the above named Defendant:

**Mega Life & Health Insurance Company
Serve through TN Commissioner of Insurance
500 James Robertson Parkway
Davy Crockett Tower
Nashville, TN 37243-0565**

You are hereby summoned and required to serve upon **W. Andrew Bobo, Bobo, Hunt, White & Nance**, Plaintiff's attorney, whose address is 202 Regions Bank Building, P. O. Box 169, Shelbyville, Tennessee 37162, an answer to the Complaint, a copy of which is herewith served upon you, within thirty (30) days) after service of this Summons upon you exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

Witness, Thomas A. Smith, Clerk of said Court, at office this 7/9, 2009.

**Thomas A. Smith
Circuit Court Clerk**

Thomas A. Smith

By:

Janice Carr
Deputy Clerk

RETURN ON SERVICE OF SUMMONS

Came to hand same day issued and served on the _____ day of _____, 2009,
by delivering a copy of this Summons and a copy of the Complaint to _____

Sheriff

Deputy Sheriff

County, Tennessee

No. 11878

STATE OF TENNESSEE

Ricky D. Clanton

vs.

Mega Life & Health Insurance Company

SUMMONS IN CIVIL ACTION

Issued the 9 day of July, 2009.

Thomas A. Smith
THOMAS A. SMITH, Clerk

By: *Jane Carr*
Deputy Clerk

NOTICE TO THE DEFENDANT:

Tennessee law provides a four thousand dollar (\$4,000) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

STATE OF TENNESSEE, BEDFORD COUNTY
I, the undersigned Circuit Court Clerk, do hereby
certify that this is a true and correct copy of the
original of this instrument filed in the Office.

IN THE CIRCUIT COURT OF BEDFORD COUNTY, TENNESSEE,
AT SHELBYVILLE, CLERK

Thomas A. Smith Clerk

RICKY D. CLANTON,

Plaintiff,

VS.

MEGA LIFE & HEALTH
INSURANCE COMPANY,

Defendant.

Filed this 8 day of July NO. 11878
THOMAS A. SMITH, CLERK
CIRCUIT & GENERAL SESSIONS
BEDFORD COUNTY, TENNESSEE

Jane Carr
DEPUTY CLERK

COMPLAINT

Comes now the Plaintiff, RICKY D. CLANTON, and sues the Defendant,
MEGA LIFE AND HEALTH INSURANCE COMPANY, and would show unto the
Court the following:

1. That plaintiff is a resident of Bedford County, Tennessee, residing at
404 Frank Martin Road, Shelbyville, Tennessee 37160.
2. That the defendant is an active corporation of the state of Oklahoma
but conducts business within the state of Tennessee through multiple regional
offices.
3. That the Court has jurisdiction over this matter since the contract in
question was negotiated in Bedford County.
4. That in June, 2008, the Plaintiff met with a field service
representative for the Defendant, Charlie B. Goodwin, to discuss a health
insurance coverage plan for the Plaintiff and his family.

5. That the Plaintiff and the field service representative selected a plan, for which he was ultimately approved, after completing an online coverage application.

6. That on or about June 24, 2008, the field service representative personally received a voided check for the purpose of making a direct debit from the Plaintiff's bank account for the initial premium payment.

7. That according to the Defendant's policy, all steps were completed by the Plaintiff to receive health insurance coverage by the Defendant.

8. That on or about July 09, 2008, the Plaintiff sustained injuries in a motorcycle accident in Bedford County.

9. That, to date, the medical expenses related to the above-stated motorcycle accident total approximately \$46,395.76.

10. That the Plaintiff has made demand for the Defendant to pay these medical expenses per the terms of the health insurance policy he selected and contracted for with the Defendant's field service representative, and that the Defendant has failed to act in good faith by refusing to pay these benefits, which conduct constitutes violation of *Tennessee Code Annotated* §56-7-105.

11. That the Plaintiff avers that the Defendant is in violation of the Tennessee Consumer Protection Act, as stated in *Tennessee Code Annotated* §47-18-101, *et seq.*, for engaging in deceptive conduct and misrepresentations regarding the coverage of the policy in question and time such coverage would begin.

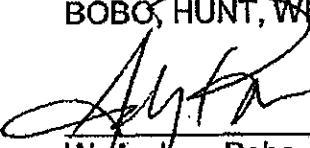
LAW OFFICES
BOBO, HUNT,
WHITE & NANCE
SUITE 202
REGIONS BANK BLDG.
P.O. BOX 169
HELBYVILLE, TN 37162

PREMISES CONSIDERED, PLAINTIFF PRAYS:

1. That he be allowed to file this Complaint.
2. That service of process issue and be served upon the Defendant's registered agent, The Corporation Company, at 120 North Robinson, Suite 735, Oklahoma City, Oklahoma, 73102.
3. That the Plaintiff, Ricky D. Clanton, recover judgment against the defendant in the amount of \$46,395.76 for breach of contract.
4. That the Plaintiff recover judgment against the Defendant for bad faith in the maximum amount allowed by *Tennessee Code Annotated §56-7-105*.
5. That the Plaintiff recover judgment against the Defendant for treble damages for violation of the Tennessee Consumer Protection Act, pursuant to *Tennessee Code Annotated §47-18-101, et seq.*
6. That the Defendant be ordered to pay an attorney's fee to W. Andrew Bobo for his services rendered in the filing of this action pursuant to *Tennessee Code Annotated §56-7-105 and/or §47-18-101, et seq.*
7. For such other, further and general relief to which the Plaintiff may be entitled.

Respectfully submitted,

BOBO, HUNT, WHITE & NANCE


W. Andrew Bobo #022443
Attorney for Plaintiff
202 Regions Bank Bldg.
P. O. Box 169
Shelbyville, Tennessee 37162
(931) 684-4611


Ricky D. Clanton, Plaintiff

LAW OFFICES
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SUITE 202
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SHELBYVILLE, TN 37162

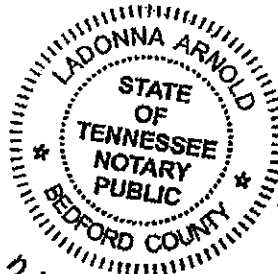
STATE OF TENNESSEE,
COUNTY OF BEDFORD.

I, RICKY D. CLANTON, being duly sworn according to law, make oath that the facts and statements contained in the foregoing Complaint are true to the best of my knowledge, information and belief; that my Complaint is not made out of levity or by collusion with the defendant, but in sincerity and in truth for the causes mentioned in the Complaint.

Ricky D. Clanton
Ricky D. Clanton

Sworn to and subscribed before me
this 8th day of July, 2009.

Ladonna Arnold
Notary Public



My commission expires: 11/14/2012

We are surety for costs not to exceed \$500.00.

BOBO, HUNT, WHITE & NANCE

W. Andrew Bobo
W. Andrew Bobo

LAW OFFICES
BOBO, HUNT,
WHITE & NANCE
SUITE 202
REGIONS BANK BLDG.
P.O. BOX 109
HELBYVILLE, TN 37162

i:Andy/Clanton Ricky D/07 07 09 complaint/lka



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LEGAL CORP

07/24/09 10:34

072408103440

7008 3230 0002 4321 8942 7/17/09
MEGA LIFE & HEALTH INS CO, THE
9151 GRAPEVINE HWY
NORTH RICHLAND HILLS, TX 76180

